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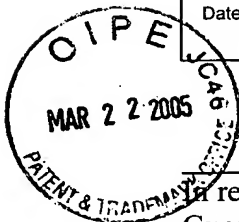
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 465008790 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 22, 2005 Signature:

(Anthony A. Laurentano)

Docket No.: BEW-009  
(PATENT)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:  
Guerman Aronovich Pasmanik *et al.*

Application No.: 10/790845

Confirmation No.: 2495

Filed: March 3, 2004

Art Unit: 3677

For: SYSTEM AND METHOD FOR VIEWING  
MICRO-MARKINGS ON JEWELRY AND  
OTHER OBJECTS

Examiner: Not Yet Assigned

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### PETITION FOR A RETROACTIVE FOREIGN FILING LICENSE

#### PURSUANT TO 35 U.S.C. §184 AND 37 C.F.R. §5.25

Dear Sir:

Applicants hereby petition for a retroactive foreign filing license in the above-referenced U.S. patent application pursuant to 35 U.S.C. §184 and 37 C.F.R. §5.25.

The above-referenced U.S. patent application was filed with the United States Patent and Trademark Office on March 3, 2004 and granted a foreign filing license on May 25, 2004. A copy of the application is included herein for your convenience.

Before the foreign filing license was granted, the patent application material was also filed in Canada with the Canadian Patent Office on March 3, 2004, which is concurrent with the filing of the above-referenced U.S. patent application. No other applications were filed. The Canadian patent application was assigned serial number 2459496, and the subject matter is the same as that contained in the corresponding U.S. case.

In light of the declaration attached herewith from the Canadian agent for Applicants who filed the U.S. and Canadian patent applications concurrently on March 3, 2004, Applicants submit that the Canadian patent application was filed in Canada on March 3, 2004 through error and without deceptive intent.

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Application No.: 10/790845  
Group Art Unit: 3677


Docket No.: BEW-009

Applicants also submit that the subject matter disclosed in the Canadian patent application relates to a system and method for viewing micro-markings in jewelry and other objects, was not under a secrecy order at the time it was filed in Canada, and is not currently under a secrecy order. Applicants therefore petition for a retroactive foreign filing license under 35 U.S.C. §184.

Applicants enclose a fee of \$200 as required by 37 CFR §1.17(g) with this statement. However, if any additional fees are due, please charge our Deposit Account No. 12-0080, under Order No. BEW-009 from which the undersigned is authorized to draw.

Dated: March 22, 2005

Respectfully submitted,

By   
Anthony A. Laurentano  
Registration No.: 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
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Attorney/Agent For Applicants



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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

**Send completed form to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/790845-Conf. #2495
Filing Date	March 3, 2004
First Named Inventor	Guerman Aronovich PASMANIK
Art Unit	3677
Examiner Name	Not Yet Assigned
Attorney Docket Number	BEW-009

Enclosed is a petition filed under 37 CFR 5.25 that requires a processing fee (37 CFR 1.17(f)), (g), or (h)). Payment of \$ 200.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 12-0080 :

☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

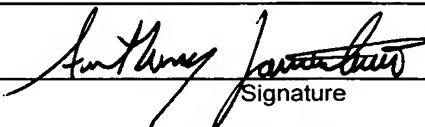
For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.

  
\_\_\_\_\_  
Signature  
Anthony A. Laurentano  
\_\_\_\_\_  
Typed or printed name

\_\_\_\_\_  
March 22, 2005  
Date  
\_\_\_\_\_  
38,220  
Registration No., if applicable

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